

NINETEENTH DAY

(Monday, February 14, 1949)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Lane
Ashley	Lock
Bell	Martin
Bracewell	McDonald
Bullock	Moffett
Carney	Moore
Colson	Morris
Corbin	Phillips
Hardeman	Proffer
Harris	Strauss
Hazlewood	Taylor
Jones	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Weinert

Absent—Excused

Cousins	Shofner
Hudson	

A quorum was announced present.

The Reverend Frank Luker, Chaplain, offered the invocation.

On motion of Senator Bell and by unanimous consent, the reading of the Journal of the proceedings of Thursday was dispensed with and the Journal approved.

Leaves of Absence Granted

Senator Shofner was granted leave of absence for today on account of important business on motion of Senator Carney.

Senator Hudson was granted leave of absence for today on account of important business on motion of Senator Strauss.

Senator Cousins was granted leave of absence for today on account of important business on motion of Senator Bracewell.

Reports of Standing Committees

Senator Hardeman submitted the following report:

Austin, Texas,
February 14, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Con-

stitutional Amendments, to whom was referred S. J. R. No. 1, have had same under consideration, and I am instructed to report it back to the Senate with the recommendations that it do pass and be printed.

HARDEMAN, Chairman.

Senator Proffer submitted the following report:

Austin, Texas,
February 11, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Education, to whom was referred Senate Bill No. 15, have had same under consideration and beg to report it back to the Senate with the recommendation that it do pass and be printed.

PROFFER, Chairman.

Senator Bell submitted the following report:

Austin, Texas,
February 14, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred Senate Bill No. 48, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed as amended.

BELL, Chairman.

Senator Aikin submitted the following reports:

Austin, Texas,
February 10, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 21, have had the same under consideration, and I am instructed to report it back to the Senate, with the recommendation that it do pass as amended and be printed.

AIKIN, Chairman.

Austin, Texas,
February 10, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 43, have had the same under consideration, and I am instructed to report it back to the Senate, with the

recommendation that it do pass as amended and be printed.

AIKIN, Chairman.

Austin, Texas,
February 10, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. C. R. No. 8, have had the same under consideration, and I am instructed to report it back to the Senate, with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Senator Lane submitted the following report:

Austin, Texas,
February 10, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred Senate Bill No. 42, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

LANE, Chairman.

Senate Bills on First Reading

The following bills were introduced, read severally first time and referred to the committees indicated:

By Senator Bell:

S. B. No. 226, A bill to be entitled "An Act designating the Poultry Improvement Board of the Texas Poultry Improvement Association as the official State agency to cooperate with the United States Department of Agriculture administering the National Poultry Improvement Plan and National Turkey Improvement Plan with authority to promulgate the necessary rules and regulations, and declaring an emergency."

To Committee on Federal Relations.

By Senator Strauss:

S. B. No. 227, A bill to be entitled "An Act declaring open season on fox in Austin County and making it lawful to kill any number of fox in Austin County at any and all times, repealing all laws in conflict herewith; and declaring an emergency."

To Committee on Game and Fish.

By Senator Strauss:

S. B. No. 228, A bill to be entitled "An Act amending Article 4000, Title 65, of The Revised Civil Statutes of The State of Texas, adopted at the regular session of the 39th Legislature and as amended by the Act of April 27, 1935, Chapter 115, General Laws, Regular Session, 44th Legislature, by adding thereto a provision excepting from the operation of said Article any lien securing the purchase price of any merchandise or other article except as to bona fide retail sales, and declaring an emergency."

To Committee on Civil Jurisprudence.

By Senator Strauss:

S. B. No. 229, A bill to be entitled "An Act to validate the charters and incorporations of all cities and towns whose charters may be void by reason of failure to properly define their limits, or that may have included in such limits more territory than was provided for in Article 971, Revised Civil Statutes of 1925; validating such charters and incorporations the same as if such territorial limits had at first been properly established and the superficial areas authorized; providing a saving clause; and declaring an emergency."

To Committee on Civil Jurisprudence.

By Senator Proffer:

S. B. No. 230, A bill to be entitled "An Act authorizing rural high school districts, common school districts and independent school districts, including county line districts of any type, and including, under certain conditions, elementary school districts which, without a separate majority vote therein, were annexed to or grouped with other districts under Chapter 59, Acts of the Thirty-ninth Legislature, relating to rural high school districts, to be consolidated in the manner provided in Article 2806, Revised Civil Statutes, as amended; making provisions for the board of trustees to serve such consolidated district until the next regular trustee election; providing that districts consolidated under this Act shall constitute independent school districts and be governed by the general laws relating to independent school districts; validating districts heretofore consolidated in the manner provided in this Act but providing that such validation shall

not apply to any district involved in litigation brought by a taxpaying voter therein questioning the validity of such consolidation; enacting other provisions relating to the subject; and declaring an emergency."

To Committee on Education.

By Senator Jones:

S. B. No. 231, A bill to be entitled "An Act to regulate fishing in Lake Texoma, providing for license fees and a division of fees between Texas and Oklahoma, and empowering the Game, Fish and Oyster Commission to put the law in effect, repealing conflicting laws, and declaring an emergency."

To Committee on Game and Fish.

By Senator Morris:

S. B. No. 232, A bill to be entitled "An Act to provide for the sale by the Board of Regents of the State Teachers Colleges of one tract of land and trade and exchange a second tract for another tract, all situated in Hunt County; and declaring an emergency."

To Committee on State Affairs.

By Senator Morris:

S. B. No. 233, A bill to be entitled "An Act to amend Section 14, Acts 1945, Forty-ninth Legislature, Regular Session, page 559, Chapter 340, to regulate cemetery associations, define the rights of cemetery lot owners and declaring an emergency."

To Committee on State Affairs.

By Senator Morris:

S. B. No. 234, A bill to be entitled "An Act providing that certain corporations, sole organizations, sole owned cemeteries, associations or societies shall not sell or engage in the business of selling monuments or memorials for cemetery or graveyard lots, and declaring an emergency."

To Committee on State Affairs.

By Senator Kelley of Hidalgo:

S. B. No. 235, A bill to be entitled "An Act making an emergency appropriation to the State Department of Agriculture, Division of Horticulture and Plant Quarantines, for the purpose of employing personnel and paying their expenses to search for and inspect host plants of dangerous citrus insect, pest or plant diseases, especially for Citrus Black Fly, on road stations leading into the Citrus Belt of Texas and on international

bridges between the United States and the Republic of Mexico, and declaring an emergency."

To Committee on Finance.

By Senator Kelley of Hidalgo:

S. B. No. 236, A bill to be entitled "An Act amending Article 3992 of the Revised Civil Statutes of Texas, 1925, providing for appeals to the Court of Civil Appeals in forcible entry and detainer suits repealing all laws in conflict herewith, and declaring an emergency."

To Committee on Civil Jurisprudence.

By Senator Aikin:

S. B. No. 237, A bill to be entitled "An Act to appropriate the sum of One Thousand Seven Hundred Fifty (\$1,750.00) Dollars and interest thereon from May 22, 1948, at the rate of six (6%) percent, to pay the judgment in favor of Roy Parchman and wife, Dovie Parchman, against the State of Texas; and declaring an emergency."

To Committee on Finance.

By Senator Carney:

S. B. No. 238, A bill to be entitled "An Act amending Section 17 of the Public Welfare Act of 1939 same being Senate Bill No. 36, Chapter 1, Acts of the 46th Legislature, Regular Session 1939, relating to eligibility of certain children under said Act, and declaring an emergency."

To Committee on State Affairs.

By Senator Bracewell:

S. B. No. 239, A bill to be entitled "An Act providing for the fixing of compensation of Judges of District Courts and Criminal District Courts in Counties having a population of 340,000 inhabitants, or more, according to the last preceding or any future Federal Census; providing the manner of payment thereof; providing that Article 5139, Revised Civil Statutes of Texas of 1925 (as amended by the Acts of 1945, Chapter 268, P. 422, Regular Session Laws of the Forty-ninth Legislature), or Article 5142-A, Section 1-a, Revised Civil Statutes (same being Section 1-a of the Acts of 1935, Forty-fourth Legislature, Regular Session, Chapter 156, P. 401) or Article 6819-a-3, Revised Civil Statutes, (same being Chapter 200, P. 271, of the Acts of 1945, Forty-ninth Legislature, Regular Session) shall not be repealed,

prohibiting however, the payment of salaries under said three articles for any month where the salaries herein provided are paid; providing for validity of remaining portion of Act, if any part declared unconstitutional; and declaring an emergency."

To Committee on State Affairs.

By Senator Vick:

S. B. No. 240, A bill to be entitled "An Act to amend Section 8 of Chapter 270, Acts of the 40th Legislature, Regular Session, 1927, as amended by Chapter 78, Acts of the 41st Legislature, First Called Session, 1929, relating to motor bus companies, so as to provide for the requirements of an application for a motor bus certificate; the jurisdiction and procedure of the Commission in granting applications for certificates of convenience and necessity to motor bus companies; the filing fees to accompany applications before the Commission; and for the approval by Commission of transfer of certificates and stock in motor bus companies; also amending Section 12 of Chapter 270, Acts of the 40th Legislature, Regular Session, 1927, relating to motor bus companies, so as to provide for the hearing of application and complaints by the Commission and authorized representatives and examiners of the Commission; and for written reports and recommendations of the authorized representatives and examiners of the Commission; also amending Section 17 of Chapter 270, Acts of the 40th Legislature, Regular Session, 1927, relating to motor bus companies, so as to provide for an appeal to the courts from any order or action of the Commission; providing that the invalidity of any part of this Act shall not affect the validity of any other part, and declaring an emergency."

To Committee on Highways and Motor Traffic

Caption of Senate Bill 102 Amended

On motion of Senator Bullock and by unanimous consent, it was ordered that the caption of S. B. No. 102 be amended to conform with the body of the bill.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
February 14, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 38, A bill to be entitled "An Act amending Article 1302, Chapter 1, Title 32 of the Revised Civil Statutes of Texas, 1925, by adding thereto a new subdivision to be numbered and designated as subdivision '39a,' providing for the formation of private corporations to buy, sell, produce, store, transport and process fish, oysters, shrimp, and other aquatic products, and the transaction of all business heretofore set out; and declaring an emergency."

H. B. No. 61, A bill to be entitled "An Act amending Article 1302, Chapter 1, Title 32 of the Revised Civil Statutes of Texas, 1925, by adding thereto a new subdivision to be known as 'Subdivision 108,' providing for the creation of private corporations for the purpose of owning, selling, repairing, leasing, or renting for hire and/or any other lawful purpose, phonographs, electrical music machines and coin operating vending machines used to dispense or vend merchandise, commodities, confections or music"

H. B. No. 94, A bill to be entitled "An Act amending House Bill 433, Acts of the 50th Legislature, Regular Session, 1947, Chapter 100, page 161, relating to open season for squirrels in the counties of Hopkins, Franklin and Delta, and declaring an emergency."

H. B. No. 98, A bill to be entitled "An Act amending Section 1 of Chapter 72 of the Acts of the Fifth Called Session of the Forty-first Legislature, 1930, so as to provide an open season for squirrels in Runnels County; and declaring an emergency."

H. B. No. 149, A bill to be entitled "An Act to provide an open season for the hunting, taking or killing of wild deer in Jack County; providing a bag limit of two buck deer for each hunter during a season; fixing a penalty for the violation hereof; repealing all laws in conflict; and declaring an emergency."

H. B. No. 215, A bill to be entitled "An Act to provide a closed season

on wild deer in Limestone County for a period of five (5) years; prescribing a penalty; repealing all laws in conflict herewith; and declaring an emergency."

H. B. No. 218, A bill to be entitled "An Act repealing all local or special laws in so far as they govern the taking or trapping of wild fox in Limestone County; and declaring an emergency."

H. B. No. 225, A bill to be entitled "An Act declaring it unlawful for any person to kill, take or have in his possession for the purpose of sale, in Shelby County, Texas, any wild fox, or the pelts thereof; providing exceptions and exemptions; prescribing a penalty for the violation hereof; repealing all laws in conflict herewith, and declaring an emergency."

H. B. No. 256, A bill to be entitled "An Act amending Section 1a of the Acts of the Regular Session of the 46th Legislature, Special Laws, page 831, as amended by the Acts of the Regular Session of the 47th Legislature, 1941, Chapter 281, page 445, and as amended by the Acts of the Regular Session of the 49th Legislature, 1945, Chapter 110, page 158, and as amended by the Acts of the Regular Session of the 50th Legislature, 1947, Chapter 160, page 264, by adding thereto the County of Jim Hogg, so as to make it therein lawful to capture, shoot or kill Collared Peccary or Javelina at any time; prohibiting the sale of Collared Peccary or Javelina, or any part of same, in said County; retaining Crockett, Dimmit, Frio, Kinney, La Salle, Maverick, Medina, McMullen, Starr, Uvalde, Val Verde, Webb, Zapata, and Zavala Counties in the provisions thereof; prescribing a penalty for violation of any provision of this Act; repealing conflicting laws or parts thereof; and declaring an emergency."

Respectfully submitted,

CLARENCE JONES,

Chief Clerk, House of Representatives.

Senate Bill 99 Recommitted

On motion of Senator Strauss and by unanimous consent, S. B. No. 99 was recommitted to the Committee on Internal Improvements.

Senate Concurrent Resolution 16

Senator Lock offered the following resolution:

S. C. R. No. 16, Granting the District Judges permission to leave the State.

Whereas, The District Judges of the State of Texas may desire to leave the State sometime during the years, 1949 and 1950, on personal business, temporary active duty with the National Guard, and to take vacations; now, therefore, be it

Resolved, By the Senate of the State of Texas, the House of Representatives concurring, that the District Judges of Texas be, and they are hereby granted permission to be absent from the State of Texas at such intervals and for such time as they may see fit and proper during the years, 1949 and 1950, taking into consideration the condition of the docket of their court.

The resolution was read.

On motion of Senator Lock, and by unanimous consent, the resolution was considered immediately and was adopted.

Senate Bill 93 on Third Reading

The President laid before the Senate for consideration at this time, on its third reading and final passage:

S. B. No. 93, A bill to be entitled "An Act amending Article 2620, Revised Civil Statutes of Texas, 1925, changing the name of the North Texas Junior Agricultural, Mechanical and Industrial College; providing for a governing board for said re-designated College; defining the power and duties of said board; authorizing the purposes of said College; providing the new designation of said College shall apply in all prior statutes or references; and declaring an emergency."

The bill was read third time.

Senator Morris offered the following amendment to the bill:

Amend S. B. No. 93 by changing the words "Texas State College" to read "Texas State Junior College" wherever they appear.

The amendment was adopted by the following vote:

Yeas—20

Aikin	Lock
Ashley	Moffett
Bell	Moore
Bracewell	Morris
Bullock	Proffer
Carney	Strauss
Corbin	Taylor
Hardeman	Tynan
Jones	Vick
Lane	Weinert

Nays—7

Harris	Martin
Hazlewood	McDonald
Kelley of Hidalgo	Phillips
Kelly of Tarrant	

Absent

Colson

Absent—Excused

Cousins	Shofner
Hudson	

Senator Proffer offered the following amendment to the bill:

Amend S. B. No. 93 as amended by changing the name "Texas State Junior College" wherever same may appear to "Arlington State Junior College."

The amendment was adopted by the following vote:

Yeas—21

Aikin	McDonald
Ashley	Moffett
Bell	Moore
Bracewell	Morris
Bullock	Phillips
Carney	Proffer
Corbin	Strauss
Hardeman	Taylor
Jones	Tynan
Lane	Vick
Lock	

Nays—6

Harris	Kelly of Tarrant
Hazlewood	Martin
Kelley of Hidalgo	Weinert

Absent

Colson

Absent—Excused

Cousins	Shofner
Hudson	

S. B. No. 93 was then passed.

Senate Bill 27 on Second Reading

Senator Carney moved that Senate Rule 116 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 27 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—26

Aikin	Lock
Ashley	Martin
Bell	McDonald
Bracewell	Moffett
Bullock	Moore
Carney	Morris
Corbin	Phillips
Hardeman	Proffer
Harris	Strauss
Hazlewood	Taylor
Jones	Tynan
Kelly of Tarrant	Vick
Lane	Weinert

Absent

Colson

Kelley of Hidalgo

Absent—Excused

Cousins	Shofner
Hudson	

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 27, A bill to be entitled "An Act validating the discontinuance and/or any attempted discontinuance of territory, and validating the boundaries and areas of all cities and towns incorporated under the General Laws of the State of Texas, having a population of two thousand (2,000) inhabitants or less, at the time of the discontinuance or attempted discontinuance of said territory; validating all petitions and ordinances discontinuing or attempting to discontinue territory, and validating the boundary lines of any such city or town, after the discontinuance or attempted discontinuance of such territory, although the territory in said city, as a result of the discontinuance or attempted discontinuance of such territory, consists of two or more separate areas, and validating the act of any city contiguous thereto in subsequently annexing the territory thus discontinued; provided that this act shall not apply in cases where litigation, affecting such discontinuance or

attempted discontinuance of territory, is now pending; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 27 on Third Reading

Senator Carney moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 27 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Lock
Ashley	Martin
Bell	McDonald
Bracewell	Moffett
Bullock	Moore
Carney	Morris
Corbin	Phillips
Hardeman	Proffer
Harris	Strauss
Hazlewood	Taylor
Jones	Tynan
Kelly of Tarrant	Vick
Lane	Weinert

Absent

Colson	Kelley of Hidalgo
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Absent—Excused

Cousins	Shofner
Hudson	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Lock
Ashley	Martin
Bell	McDonald
Bracewell	Moffett
Bullock	Moore
Carney	Morris
Corbin	Phillips
Hardeman	Proffer
Harris	Strauss
Hazlewood	Taylor
Jones	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Weinert
Lane	

Absent

Colson

Absent—Excused

Cousins	Shofner
Hudson	

Senate Bill 75 on Second Reading

Senator Moffett moved that Senate Rule 116 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 75 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—26

Aikin	Lane
Ashley	Lock
Bracewell	Martin
Bullock	McDonald
Carney	Moffett
Colson	Morris
Corbin	Phillips
Hardeman	Proffer
Harris	Strauss
Hazlewood	Taylor
Jones	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Weinert

Nays—1

Bell

Absent

Moore

Absent—Excused

Cousins	Shofner
Hudson	

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 75, A bill to be entitled "An Act to amend Acts 1930, Forty-first Legislature, Fifth Called Session, Chapter 18; as amended by Acts 1931, Forty-second Legislature, Regular Session, Chapter 27; as amended by Acts 1933, Forty-third Legislature, First Called Session, Chapter 56; as amended by Acts 1935, Forty-fourth Legislature, Regular Session, Chapter 342; as amended by Acts 1947, Fiftieth Legislature, Regular Session, Chapter 370, to provide for the issuance of a 90-day temporary registration permit for any truck, truck tractor, trailer or semi-trailer which is being temporarily operated by non-resident owner in Texas for the purpose of harvesting and/or transporting farm products to market, provid-

ing the fee therefor, providing a saving clause, repealing all laws in conflict herewith, and declaring an emergency."

The bill was read second time.

Question—Shall the bill be passed to engrossment?

Reports of Standing Committees

By unanimous consent, the following reports were submitted at this time:

Senator Corbin submitted the following reports:

Austin, Texas
February 14, 1949

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred Senate Bill No. 143, have had same under consideration and beg to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

CORBIN, Chairman

Austin, Texas
February 14, 1949

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred Senate Bill No. 167, have had same under consideration and beg to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

CORBIN, Chairman

Senator Weinert submitted the following report:

Austin, Texas
February 14, 1949

Hon. Allan Shivers, President of the Senate

Sir: We, your Committee on State Institutions and Departments, to whom was referred S. B. No. 97, have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass, and be printed.

WEINERT, Chairman

Bill Re-referred

On motion of Senator Hazlewood and by unanimous consent, S. B. No. 157 was withdrawn from the Committee on Counties and County Boundaries and re-referred to the Committee on Civil Jurisprudence.

Resolution Signed

The President signed in the presence of the Senate, after giving due notice thereof, the following resolution:

H. C. R. No. 23, In memory of Mr. W. A. Loving.

Committee To Attend Council of State Governments

Pursuant to the provisions of S. R. No. 31, the President announced the appointment of the following committee to attend the Council of State Governments:

Senators Bell and Lock.

Messages From the Governor

The President laid before the Senate and directed the Secretary to read the following messages from the Governor:

Austin, Texas
February 14, 1949

To the Members of the 51st Legislature:

The increasing scope of government on all levels has been the subject of much thought and discussion in recent years. It is a matter which deserves very close attention and consideration.

Undoubtedly, government has gone into many fields which might well have been left in private hands.

We know furthermore that on all levels there are examples of inefficiency and uneconomical operation which are a reflection upon our ability to set up a proper system for our government.

It remains, however, that much of the current expansion in government is made necessary by the requirement of the people for more and better public services.

In response to that demand, the representatives of the people have authorized the establishment of new agencies of government and the enlargement of others.

Inevitably, this has presented new and more perplexing problems in providing physical accommodations for the departments and institutions of our State.

Cramped quarters and inadequate facilities make for less efficient service, and the public as well as the public employee suffers.

Furthermore, as space in public

buildings has become more and more difficult to provide, it has been necessary—in the Capital City of Austin—to rent quarters at public expense and the people of Texas are now paying large sums annually in rental for office space in Austin for State departments.

This is economically unsound. It is a waste of money and an invitation to inefficient operation.

There is no arrangement or plan for locating State government offices in the Capital. Citizens coming to their Capital to transact business find themselves shuttling all over the city, climbing stairs of dilapidated buildings, searching out residential structures converted into public office facilities, and being subjected to other inconveniences.

I think it is the consensus that the time has come when adequate attention must be given to provision of space for the proper operation of the business of government in the Capital.

Economical operation of the State's business, the efficiency of our government, and the pride which all Texans have in the dignified, orderly, and impressive appearance of our public buildings—all of these things seem to me to require that we make a diligent, intelligent study of our needs, both present and future, and that we develop a plan for meeting those requirements—a plan which will not only be adequate to our physical accommodation, but which will also be of a size and distinction in keeping with the pride which all Texans have in their State and its institutions.

With these considerations in mind, I respectfully recommend the passage of a concurrent resolution establishing a State Capital Planning Commission to study this problem and report at the earliest practical time recommendations for its solution.

Respectfully submitted,
BEAUFORD H. JESTER,
Governor of Texas.

Austin, Texas
February 14, 1949

To the Members of the 51st
Legislature:

Sixteen months ago the citrus black fly, a most destructive pest on citrus, plants, and trees, was discovered in the Valles area of Mexico, 292 air-line miles south of Brownsville, Texas.

Late reports reveal that there was a serious spread of the infestation

from October 1948, to January, 1949, and that the pest has now appeared 40 miles north of Valles.

This menace to the citrus and agricultural industry of the Valley is a serious threat to the basic economy of all industry in the Lower Rio Grande Valley and to all agriculture of the Southwest.

It is reported to me that the United States Department of Agriculture is preparing to take action in this matter as soon as possible but that in the meantime, there is a serious need for action by the State of Texas to provide—through the State Department of Agriculture—inspection of all host plants brought into Texas which might carry this pest.

An emergency appropriation bill is being introduced to finance this work.

Under authority of Section 5 of Article III of the Constitution, I submit this as a subject for emergency legislation.

Respectfully yours,
BEAUFORD H. JESTER,
Governor of Texas.

Austin, Texas
February 14, 1949

To the Members of the 51st
Legislature:

Since May 1, 1946, grants have been available to the State of Texas from the General Education Board for the supervision of the school libraries of Texas.

The General Education Board has now notified the State Department of Education that no further grants can be made after the current one which expires and will be exhausted February 28, 1949.

I am advised that the sum of \$2,712.00 will be required to maintain this service for the remainder of this fiscal year.

The program of development and integration of school libraries into the curriculum of our public school system is a matter of great importance.

In view of this situation I think it is appropriate that, under the authority of Section 5 of Article III of the Constitution, I should submit to you as a subject for emergency legislation an appropriation in the amount indicated for this particular service in the State Department of Education.

Respectfully submitted,
BEAUFORD H. JESTER,
Governor of Texas.

House Bills on First Reading

The following bills, received from the House today, were laid before the Senate, read and referred to the committees indicated:

H. B. No. 149, to Committee on Game and Fish.

H. B. No. 98, to Committee on Game and Fish.

H. B. No. 94, to Committee on Game and Fish.

H. B. No. 61, to Committee on State Affairs.

H. B. No. 38, to Committee on Civil Jurisprudence.

H. B. No. 215, to Committee on Game and Fish.

H. B. No. 218, to Committee on Game and Fish.

H. B. No. 225, to Committee on Game and Fish.

H. B. No. 256, to Committee on Game and Fish.

Adjournment

On motion of Senator Harris, the Senate at 12:15 o'clock p.m., adjourned until 10:00 o'clock a.m. tomorrow.

TWENTIETH DAY

(Tuesday, February 15, 1949)

The Senate met at 10:00 o'clock a.m., pursuant to adjournment, and was called to order by the President pro tempore.

The roll was called and the following Senators were present:

Aikin	Lock
Ashley	Martin
Bell	McDonald
Bracewell	Moffett
Bullock	Moore
Carney	Morris
Corbin	Phillips
Cousins	Proffer
Hardeman	Shofner
Harris	Strauss
Hazlewood	Taylor
Jones	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Weinert
Lane	

Absent—Excused

Colson

Hudson

A quorum was announced present.

Reverend Frank Luker, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal approved.

Leaves of Absence Granted

Senator Colson was granted leave of absence for today on account of important business on motion of Senator Aikin.

Senator Hudson was granted leave of absence for today on account of important business on motion of Senator Strauss.

At Ease

On motion of Senator Aikin, the Senate at 10:05 o'clock a.m., agreed to stand at ease subject to the call of the Chair.

The President pro tempore called the Senate to order at 10:10 o'clock a.m.

Reports of Standing Committees

Senator Phillips submitted the following report:

Austin, Texas,
February 14, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Penitentiaries, to whom was referred Senate Bill No. 35, have had same under consideration and beg to report it back to the Senate with the recommendations that it do pass and be printed.

PHILLIPS, Chairman.

Senator Taylor submitted the following reports:

Austin, Texas,
February 15, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred S. B. No. 3, have had the same under consideration, and I am instructed to report it back to the Senate, with the recommendation that it do not pass,